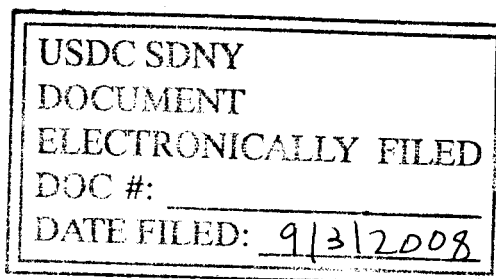


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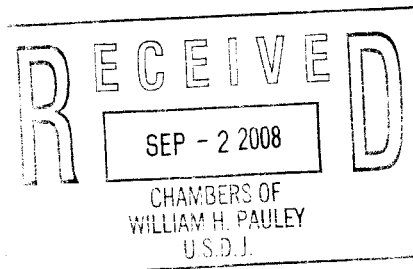
Lauren J. Wachtler  
Partner  
(917) 546-7705 Phone  
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ljw@msk.com



September 2, 2008

**VIA FACSIMILE (212) 805-6390**

Hon. William H. Pauley  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St., Room 2210  
New York, NY 10007



Re: **Sidley Holding Corp v. Morton Ruderman**  
**Case No. 08-CV-2513 (WHP)**

Dear Judge Pauley:

We are counsel to the defendant Morton Ruderman in the above-referenced action. In reviewing Your Honor's Scheduling Order we had erroneously calendared the opposition to the plaintiff's motion for summary judgment for September 8, 2008 rather than August 29, 2008. In fact, it is plaintiff's reply which was due on September 8, 2008, according to the Scheduling Order.

I have contacted the plaintiff's counsel and requested a brief adjournment of the time within which our answer must be served to September 5, 2008, an additional five days from the original August 29, 2008 due date, to which counsel has graciously consented. Plaintiff's reply will then be due on September 15, 2008, and all papers will be submitted to the Court by September 15, 2008.

The return date of the motion is presently September 19, 2008. If the Court requires additional time within which to review the papers prior to the September 19, 2008 date, please advise, otherwise we will keep the oral argument date as scheduled.

*Application granted.*

*Defendants opposition will be filed and served September 5, 2008; plaintiffs reply will be filed and served on September 15, 2008; this Court will hear oral argument on Sept. 26, 2008 at 9:45 a.m. SO ORDERED:*

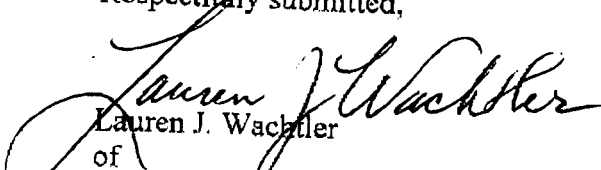
*William H. Pauley*  
WILLIAM H. PAULEY III U.S.D.J.  
9/3/08

Hon. William H. Pauley  
September 2, 2008  
Page 2

**MITCHELL SILBERBERG & KNUPP LLP**

It is respectfully requested that the Court endorse this letter, indicating that the defendant may serve and file his opposition to the plaintiff's motion for summary judgment on September 5, 2008, and that plaintiff may serve reply papers on or before September 15, 2008.

Respectfully submitted,

  
Lauren J. Wachler  
of  
MITCHELL SILBERBERG & KNUPP LLP

LJW/dtp

cc: Heath Kushnick, Esq.